



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, सोमवार, १० मार्च, १९७५/१९ फाल्गुन, १९९६

GOVERNMENT OF HIMACHAL PRADESH

FISHERIES DEPARTMENT

NOTIFICATION

Simla, the 22nd/24th February, 1975

No. 29-1/68-Fish (Sectt.).—In exercise of the powers conferred by section 6 of the Indian Fisheries Act (Act No. IV of 1897) and sections 3 and 4 of the Punjab Fisheries Act (Act No. II of 1914) as applied to the State of Himachal Pradesh and in supersession of the rules previously published *vide* Notification No. 29-1/68-Fisheries-Sectt., dated 21-3-1970 as amended *vide* notification No. 29-1/68-Fisheries Sectt., dated 8th October, 1973, the Governor, Himachal Pradesh is pleased to propose the following rules for the regulation of fishing in Govindsagar reservoir. The draft rules are hereby published for the information of persons likely to be affected thereby. Objections or suggestions, if any, should be addressed to Director of Fisheries, Himachal Pradesh, Sanjauli, Simla-171006, within 15 days from the date of publication of this notification in Himachal Pradesh Rajpatra, after which the draft rules along with objections or suggestions, if any, shall be taken into consideration.

RULES

Short title,
extent and
commence-
ment.

1. (1) These rules may be called Commercial Exploitation of fish in the Govindsagar rules.
- (2) They shall come into force with effect from 1st April, 1975.
- (3) These rules shall apply to Govindsagar Reservoir situated in Himachal Pradesh.

Definitions

2. In these rules, unless the context otherwise requires,—
 - (a) "Director" means the Director of Fisheries, Himachal Pradesh.
 - (b) "Permit" means the permit issued under these rules.
 - (c) "Societies" means the Co-operative Societies of Fishermen registered under the Himachal Pradesh Co-operative Societies Act 1968.
 - (d) "Permit Holder" means a person in whose favour permit is issued under these rules.
 - (e) "Reservoir" means Govindsagar.
 - (f) "Beat" means area demarcated for fishing under rule 4 of these rules.
 - (g) "Net" means Gill Net for fishing in the reservoir.
 - (h) "Close Season" means the period from 1st June to 10th August.
 - (i) "Permit issuing authority" means the officer empowered by the Director in writing to issue permit/license under these rules.
 - (j) "Landing Centre" means the place fixed by the Director where all fish caught from the reservoir by the Societies shall be assembled.
 - (k) "Government" means the Government of Himachal Pradesh.
 - (l) "Department" means the Department of Fisheries, Himachal Pradesh.
 - (m) "Fishing Year" means the year commencing from 1st July to 30th June.
 - (n) "Form" means the form appended to these rules.

3. The fishing in the reservoir shall be allowed only to societies for commercial exploitation under a permit on the prescribed form and conditions attached to these rules and to a person for sport by rod and line under a license for which license fee will be as under:—

- | | |
|----------------|---------|
| (i) For a week | Rs. 10. |
| (ii) For a day | Rs. 2. |

Nothing in this rule shall prevent the catching of fish at any time by the employees of the Department under the authority of the Director. The permit and license will be granted by the Director or by any other officer authorised for this purpose.

4. Reservoir shall be divided into eight beats as follows:—
Beat No. 1 From the inception of Reservoir in Lunkher Khad to Village Raipur on the rig bank and village Dharat on the left bank.

Demarca-
tion of
beats.

Beat No. II. From village Raipur on the right bank and Village Dharat on the left bank to village Bhakra on the left bank and village Bramni on the right bank.

Beat No. III. From Village Bhakra on the left bank and village Brahmi on the right bank to village Nakrana on the left bank and village Charnaru on the right bank.

Beat No. IV. From Village Nakrana on the left bank and village Charnaru on the right bank to village Osal on the left bank and village Nunsar on the right bank excluding the spread of Reservoir in Sir Khad beyond village Seri on the right bank and village Badoh on the left bank.

Beat No. V. From inception of Reservoir in the Sirkhad to village Seri on the left bank and village Badoh on the right bank.

Beat No. VI. From village Osal on the left bank and village Nunsar on the right bank to Nala-ka-Naun on the left bank and village Kasnaur on the right bank including spread of Reservoir in Ghambhar and Gambhrola khad.

Beat No. VII. From Nala-ka-Naun on the left bank and village Kasnaur on the right bank to village Kungar Hatti on the left bank and village Beri Daulan on the right bank including spread of Reservoir in Alikhad.

Beat No. VIII From village Kungar Hatti on the left bank and village Bari Daulan on the right bank to inception of Reservoir in river Sutlej including spread of Reservoir in Alsed khad.

5. The demarcation of beats shall be exhibited by constructing boundry pillars along R.L. 1700 showing number and extent of each beat.

Exhibition of demar-
cation.

6. The Director shall determine in the beginning of each fishing year the number of Gill Nets for fishing to be operated in each beat.

Number of
Gill Nets.

7. The Director may by notification prohibit any permit holder from fishing in any beat or beats either for the purpose of experimental fishing by the Department or if it is found necessary in the interest of conservation of fisheries.

Prohibition
of fishing.

8. The Officer authorised to issue the fishing permits shall define on the permit the beat in which and the period for which the holder of the permit is permitted to fish in each beat.

Issue of
permits.

9. The permit shall be issued by the fishing year, but for the ensuing year 1975-76 the permit will be issued from 1-4-75 to 30-6-75 and thereafter for the fishing year.

10. All fishing except Rod and Line shall remain closed during the closed season.

11. When the permit granted under these rules is lost, mutilated or destroyed accidentally the authority competent to grant such a permit shall issue duplicate copy of the original permit.

12. The permit issued under these rules be non-transferable.

13. The use of poison, dynamite or other noxious or explosive substances with intent thereby to catch or kill fish is strictly prohibited.

14. All apparatus erected or used for fishing is contravention of these rules may be seized and taken to the nearest Police Station by any person empowered under section 7 of the Indian Fisheries Act, 1897 or section 6 of the Punjab Fisheries Act II of 1914 as applied to the State of Himachal Pradesh to arrest without warrant for offences under the said Acts and all such apparatus and all fish taken by means of such apparatus may be forfeited on conviction of the offenders under section 4 or 5 of Punjab Fisheries Act of 1914 as applied to Himachal Pradesh.

15. The fish extraction work shall be allowed only through Societies.

Disposal of
seized fish.

16. The seized fish which is subject to speedy natural decay may be sold by the Fisheries Officer and the proceeds thereof dealt with in accordance with the procedure laid down for all receipts under "Fisheries" subject to any order by the Court.

Cancellation
of
permit.

17. The Director or any other Officer authorised by him may cancel the permit of any of its holder for the breach of any of these rules or committing any offence under any section of Indian Fisheries Act, 1897 or the Punjab Fisheries Act, 1914 as applied to the State of Himachal Pradesh.

If it is found that the work of extraction is not being done to the satisfaction of the Department or if the societies do not abide by all or any of the terms and conditions the Director or any other Officer empowered by him shall after giving 10 days notice, has the right to cancel the contract and forfeit the deposits to the Government. In such cases the fishing rights for the remaining period of the year shall be disposed of to any other Society on the terms and conditions worked by the Department.

Floor rates
of fish and
royalty
rate.

18. The Government shall fix the floor rates of fish and the royalty. A royalty at the rate of 25% of the floor price shall be charged by the Department from Societies on per kg. body weight of fish. In case the rate quoted by the highest bidder is higher than the floor price fixed by the Department the profits accruing therefrom shall be shared by the Societies and the Department in the ratio of 50:50.

Security.

19. The Society to whom the fish extraction work is entrusted shall deposit a security amount of Rs. 500 (Rupees five hundred) only in the nearest Treasury/Sub-Treasury, in favour of the Director.

Advance
payment of
royalty.

20. Before starting the extraction work the Society shall deposit in advance the amount of royalty worked out by the Director on the basis of the estimated catch in the day or week in the nearest treasury or sub-treasury under the head to which all fisheries receipts are credited and shall submit copies of the Treasury Challan to the departmental Officer at the landing Centre.

21. Extraction of fish shall be allowed only to the extent of the value of the advance of royalty deposited. No extraction shall be permitted in case of failure to deposit the advance.

22. The extracted fish which will be below the perescribed specifications of size shall be released back to the waters.

Release of fish below the standard.

23. If so required by the Director, the Society shall be bound to sell a minimum of 10% of the daily catch of fish for local consumption in Himachal Pradesh at the floor rates fixed by the Department per kg. of fish.

Sale of fish to Govt.

24. All arrears of Government dues against the Society shall be recoverable as land revenue with penal interest @ Rs. 9% per annum.

Realization of arrears.

25. In case of any dispute in respect of the contract the decision of the Director shall be final and binding on the Society.

Final decision in case of dispute.

26. The permit holder shall maintain record on the prescribed proforma in respect of number, weight and species of fish caught, sold and the Craft and Gear employed for catching of fish.

Maintenance of record.

27. The permit holder shall not be entitled to claim any damages or compensation from the Government for any loss that may be suffered by him due to floods, pollution, silting, poor inflow and slump in prices, litigation or any other cause whatsoever.

Claim against damages.

28. The permit holder shall not be entitled to claim any damages for the loss which may occur to him in the event of any action taken against him by any official/officer of the Fisheries Department for breach of any provision of these rules or of any term of his permit.

29. The Director or any Officer or official of the Fisheries Department may enter any premises used by the permit holders for assembling or storage or sale of fish for the purpose of inspection of the record or fish.

Inspection of the record of fish.

30. Provided that nothing in these rules shall prevent the Government for reasons to be recorded in writing from making any amendment in any provision of the rules or relaxing any provision thereof.

Savings.

GOVERNMENT OF HIMACHAL PRADESH

FISHERIES DEPARTMENT

Book No.....Counterfoil

ROD AND LINE FISHING LICENSE FORM
(GOBINDSAGAR)

No. of License.....

Date of issue.....

Name and address of the licensee.....

Period for which issued.....

Date of payment of fee.....

Water for which issued.....

(i)

(ii)

(iii)

Fee paid Rs.....

Permission is hereby granted to the abovenamed licensee to fish in waters specified above from date of issue of this license subject to the condition laid down in the rules published with Himachal Pradesh Government notification No.....

Date.....

Signature & Stamp of the
Permit Issuing Authority.

GOVERNMENT OF HIMACHAL PRADESH

FISHERIES DEPARTMENT

Book No.....

ROD AND LINE FISHING LICENSE FORM
(GOBINDSAGAR)

No. of License.....

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Fee paid Rs.....

Permission is hereby granted to the abovenamed licensee to fish in waters specified above from date of issue of this license subject to condition laid down in the rules published with Himachal Pradesh Government Notification No.....

Date.....

Signature & Stamp of the
Permit Issuing Authority.

CONDITIONS UNDER WHICH THE LICENSE IS ISSUED

1. The licensee shall fish only with Rod and Line by using natural as well as artificial baits.
2. The licensee shall not catch, kill or sell any fish of the following species less than the size shown against each:—Mahaseer (*Tor pitutera*) 30 cms., Gungli or Salho (*Schizothorax plagiatus*) 23 cms., Gid (*Labeo deros*) 25 cms., Mirror Carp and Allied varieties (*Cyprinus carpio*) 30 cms., Thiala (*Catla catla*) 30 cms., Meor (*Cirrhinus mrigala*) 30 cms., Rahu (*Labeo rohita*) 30 cms., Singhari (*Mystus seenghala*) 30 cms.
3. Erection of dams or weirs, diversion of water, use of fixed engine explosive substances, poison, line or other noxious materials for fishing by licensees are strictly prohibited.
4. This license must be produced on demand by any person authorised to demand it.
5. The licensee is bound to report breaches of the rules which came to his notice to the Deputy Commissioner, Tehsildar or any other officer of the Fisheries Department.
6. Fishing is not permitted in any water closed to fishing by any rule notified under section 6 of the Indian Fisheries Act, 1897.
7. No license is transferable.

GOVERNMENT OF HIMACHAL PRADESH
FISHERIES DEPARTMENT

Book No.....Counterfoil Form No.....
FISHING PERMIT FORM GOBINDSAGAR

No. of Permit.....
Date of issue.....
Name and address of Co-operative Society.....
.....
Period for which issued.....
Date of payment of security.....
Water for which issued.....

- (i)
- (ii)
- (iii)

Amount of security paid Rs.....

Permission is hereby granted to the above named permit holder to fish in the water specified above from the date of issue of this permit subject to the condition laid down in the rules published with H. P. Government notification No.....Dated.....

Date.....

Signature & Stamp of
the Permit Issuing
Authority.

GOVERNMENT OF HIMACHAL PRADESH
FISHERIES DEPARTMENT

Book No.....
FISHING PERMIT FORM GOBINDSAGAR

Date of issue.....
Name and address of Co-operative Society.....
.....
Period for which issued.....
Date of payment of security.....
Water for which issued.....

- (i)
- (ii)
- (iii)

Amount of Security paid Rs.....

Permission is hereby granted to the above named permit holder to fish in the water specified above from the date of issue of this permit subject to the condition laid down in the rules published with H. P. Government notification No.....Dated.....

Date.....

Signature & Stamp of
the Permit Issuing
Authority.

CONDITION UNDER WHICH THE PERMIT IS ISSUED

1. The permit holder shall fish with Gill Net with a minimum mesh bar of 50 mm having a maximum length of 60 meters and breadth of 3 meters.
2. The permit holder shall not catch, kill or sell any fish of the following species less than the size shown against each:— Mahseer (*Tor pituitora*) 30 cms., Gungli or Saloh (*Sehize-thorax plagies temus*) 23 cms., Gid (*Labeo dero*) 25 cms Mirror Carp and Allied varieties (*Cyprinus carpio*) 30 cms., Thiola (*Catla catla*) 30 cms., Mori (*Cirrhina Mrigal*) 30 cms., Rohu (*Labeo rehita*) 30 cms., Singhari (*mystus seenghala*) 30 cms.
3. Extraction of dams or weirs diversion of waters use of fixed engine (except gill net) explosive substances, poison, lime or other noxious materials for fishing are strictly prohibited.
4. This permit must be produced on demand by the Director or any other officers of the Department authorised in this behalf by the Director.
5. The permit holder is bound to report breaches of the rules which come to his notice to the Deputy Commissioner, Tehsildar or any other officer of the Fisheries Department.
6. Fishing is not permitted in any water closed to fishing by any rule notified under section 6 of Indian Fisheries Act, 1897.
7. No permit is transferable.

GOVERNMENT OF HIMACHAL PRADESH
FISHERIES DEPARTMENT

IDENTITY CARD

Book No.....Card No.....
Name of the Fish Landing Centre.....
Name of Fisherman.....son of.....
Resident of.....
Membership No.....and name of Co-operative Society
is hereby permitted to fish w. e. f.to.....at
the fishing ground.....

N. B.—If the fisherman desires to change the fishing ground he will have to obtain the written permission of the centre incharge two days in advance.

Signature.
Incharge Landing Centre
Designation.

GOVERNMENT OF HIMACHAL PRADESH
FISHERIES DEPARTMENT

PASS BOOK

Book No.....Identity Card No.....

1. Name of the Fisherman.....
2. Father's name.....
3. Membership No.....
4. Name of the Co-operative Society.....

Sl. No.	Date	Grade of fish	Weight of fish	No. of fish	Signature of Incharge Mother Vessel	Ramarks, if any
1	2	3	4	5	6	7

GOVERNMENT OF HIMACHAL PRADESH
FISHERIES DEPARTMENT

FISH WEIGHMENT REGISTER

Date.....
Name of Fish Landing Centre.....

Name of Fishermen's Co-operative Society.....

No. of members.....

Equipments used.....	Craft	Tackle
	Type/No.	Type/No.

Sl. No.	Weight of fish	Details of fish caught				Royalty amount	Remarks
		Species	No.	Size	Average Weight		
1	2	3	4	5	6	7	8

Signature of fish weighing employee.

Signature of the person receiving the fish.

Signature of Incharge Landing Centre. Designation

GOVERNMENT OF HIMACHAL PRADESH FISHERIES DEPARTMENT

ROYALTY ADJUSTMENT BILL

Book No..... Bill No.....

Name of the Fish Landing Centre.....

Date..... Name of Fishing Co-operative Society.....

.....

Details of fish caught.....

Weight	Major Carp.	Local Major	Local Minor	Total
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Rate of royalty:

Royalty amount:

Balance of royalty:

Royalty deposited today:

Challan No.....Date.....vide which royalty is deposited into Treasury.

Total amount of royalty in balance:

Today's royalty adjusment:

Balance royalty after day's adjusment:

Signature of the Contractor or his representative.

Signature of President of Society or his representative.

Signature of employees who weighed the fish.

Signature of Incharge Centre with Designation.

GOVERNMENT OF HIMACHAL PRADESH
FISHERIES DEPARTMENT

TRANSFER CERTIFICATE

Book No.....Certificate No.....

With reference to royalty adjustment Bill

No.....dated.....Shri.....

Resident of.....is hereby permitted to
transfer.....(weight of fish):.....

from.....to.....via.....

The details of fish is given below:—

Major Carps: Total No. Total Weight.

Local Major: Total No. Total Weight.

Others: Total No. Total Weight.

Total No. of fishes.....Total Weight.....

Signature,
Incharge Fish Landing Centre,
Designation.

S. M. VERMA,
Under Secretary.